IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.5213 of 2008
RADHE SHYAM JHA @ TINKU JHA
Versus
THE STATE OF BIHAR & ANR.
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5 **02.09.2008** Heard learned counsels for the petitioner, opposite party no.2 and the State. A supplementary affidavit has been filed on behalf of the petitioner.

Petitioner is an accused in a case registered for the offences under Sections 498A of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the allegations are general in nature against all the members of the in-laws family of the complainant. It is further submitted that for having similar allegation the complainant had filed a complaint case earlier which was dismissed since the complainant left taking interest in the same vide Annexure-5. It is further contended that in the said complaint the complainant has deposed that she is not prepared to live with this petitioner, and as such, the petitioner had no option but to file an application for divorce vide Annexure-2.

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Learned counsel appearing for the opposite party no.2 submits that on account of the misbehaviour on the part of the petitioner as well as the in-laws family

members, the complainant had no option, and as such, she has stated that she is not prepared to live in the family of this petitioner in face of serious misbehaviour and demand of dowry.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, namely, Radhey Shyam Jha @ Tinku Jha be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Munger in connection with Complaint Case No. 373 (C) of 2006 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Manish/- **(Shailesh Kumar Sinha,J.)**